

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1067

To amend title XVIII of the Social Security Act to require renal dialysis facilities to meet hemodialysis standards as a condition of receiving payment for renal hemodialysis services furnished under the Medicare Program.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1995

Mr. STARK introduced the following bill; which was referred to the Committee on Commerce and, in addition, to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title XVIII of the Social Security Act to require renal dialysis facilities to meet hemodialysis standards as a condition of receiving payment for renal hemodialysis services furnished under the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. HEMODIALYSIS STANDARDS FOR MEDICARE**

4 **RENAL DIALYSIS FACILITIES.**

5 (a) **REQUIRING FACILITIES TO MEET STANDARDS.—**

6 Section 1881(b)(1) of the Social Security Act (42 U.S.C.

1 1395rr(b)(1)) is amended by striking the period at the end  
2 of the second sentence and inserting “, and requirements  
3 for adequate hemodialysis in accordance with standards  
4 under paragraph (12).”.

5 (b) STANDARDS DESCRIBED.—Section 1881(b) of  
6 such Act (42 U.S.C. 1395rr(b)) is amended by adding at  
7 the end the following new paragraph:

8 “(12)(A) For purposes of paragraph (1), a pro-  
9 vider of services or renal dialysis facility meets the  
10 standards for adequate hemodialysis under this  
11 paragraph for a cost reporting period if, during the  
12 preceding cost reporting period, it certifies that for  
13 not less than 50 percent of all the individuals receiv-  
14 ing hemodialysis services from the facility during the  
15 reporting period—

16 “(i)  $KT/V$ , defined as a fraction of body  
17 water cleared of urea during dialysis, was not  
18 less than 1.2, where ‘K’ equals the urea clear-  
19 ance, ‘T’ equals the duration of the dialysis,  
20 and ‘V’ equals the volume of distribution of  
21 urea;

22 “(ii) in the case of a provider of services  
23 or facility which the Secretary finds may be un-  
24 able to implement the formula described in  
25 clause (i) without incurring additional costs, the

1           urea reduction ratio (URR) was not less than  
2           0.65, where the URR is defined as the  
3           predialysis urea concentration minus the  
4           postdialysis urea concentration divided by the  
5           predialysis urea concentration, or

6           “(iii) the provider of services or facility  
7           maintains appropriate documentation of blood  
8           clearance in each patient’s medical records file  
9           and makes such data available for review by the  
10          appropriate end stage renal disease network.

11          “(B) At any time, the Secretary may apply al-  
12          ternative standards for adequate blood clearance  
13          under this paragraph for a cost reporting period if  
14          the Secretary certifies to Congress that the alter-  
15          native standards are more medically appropriate  
16          than the standards described in subparagraph (A)  
17          for determining the quality of hemodialysis services  
18          furnished to individuals under this title.

19          “(C) For reporting periods after January 1,  
20          1998, the 50 percent requirement in subparagraph  
21          (A) shall be increased to 75 percent.”.

1 **SEC. 2. EFFECTIVE DATE.**

2       The amendments made by section 1 shall apply to  
3 services furnished during portions of cost reporting peri-  
4 ods beginning on or after January 1, 1997.

